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ONE HUNDRED FIFTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
MINORITY (202) 225-5051
TTY (202) 225-6852

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May 14, 1998

The Honorable Richard A. Gephardt
Minority Leader
U.S. House of Representatives
H-204, The Capitol
Washington, D.C. 205 15

Dear Mr. Minority Leader:

I wanted to let you know how personally disappointed I was that you decided to offer a privileged resolution on the House floor about me that was based on misinformation and filled with inaccuracies. It may be that the transparently political nature of your resolution was the reason that you were not able to hold your entire caucus together on the vote.

Since you obviously did not have all of the facts when you offered the resolution, let me give them to you now.

First, you stated that my authority to issue subpoenas is somehow unique or unusual. In fact, my authority to issue subpoenas is identical to that of prior chairmen of the Government Reform Committee. I have exactly the same subpoena power as Chairman Clinger, who preceded me, and the Democratic Chairmen who preceded him. Our rules on the issuance of subpoenas are the same rules that Chairman Lee Hamilton had during the Iran-Contra and October Surprise investigations. These are basic and simple facts that your staff should have known.

Second, you accused me of violating the rules of the House and of the Committee in making the Hubbell tapes public. Again, you are wrong. When the Committee approved its document protocol last spring, it created a bipartisan “working group” of five Members of the Committee to consider the release of documents and advise the Chairman. After consulting with the working group, the Chairman is authorized to make documents public. These procedures were followed. On April 15 the working group, by a 3-2 vote, supported making the tapes public because of the important information contained in them.

The Honorable Richard A. Gephardt

May 14, 1998

Page 2

Third, you stated that Committee documents were altered. Once again, you are wrong. The Hubbell prison tapes were never altered or doctored in any way. The fact that Democratic Members of Congress have been repeating this ridiculous charge is disappointing beyond words. The Committee never produced verbatim transcripts of the tapes. The Committee produced document logs that contained summaries of sections of the tapes that are relevant to our investigation. Purely personal conversations that had no bearing on our investigation were not included in the logs. Once the tapes were made public, reporters were allowed to listen to the relevant sections of the tapes in their entirety -- including the much-disputed statements about the First Lady. So as you can see, no one was misled, and the meaning of Committee documents was not altered in any way.

To summarize -- I have no unusual powers, no rules were broken, and no Committee documents were altered. What I did do was provide important information to the public about the former Associate Attorney General of the United States -- who has exercised his Fifth Amendment rights and refused to cooperate with the Committee. The American people have a right to know if the \$700,000 Mr. Hubbell received prior to his pleading guilty to criminal charges was "hush money" intended to influence his cooperation. The American people have a right to know what role the President played in soliciting \$100,000 for Mr. Hubbell from the Riady family of Indonesia. The American people have a right to know why Mr. Hubbell stated on these tapes that he had to "roll over one more time." They have a right to know why Mrs. Hubbell stated that she felt that she was being "squeezed" by the White House.

I am disappointed that you felt that you needed to make a political gesture like this. I am disappointed that you didn't get the facts right before you introduced this resolution. However, what disappoints me most is that you have never once publicly acknowledged the seriousness of these charges. You have never once called on the President or Mr. Hubbell to give a complete accounting of their actions to the American people. As public officials, we all have an obligation in situations like this to put aside partisan considerations and demand that the rule of law be followed.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Burton". The signature is fluid and cursive, with the first name "Dan" being more prominent than the last name "Burton".

Dan Burton
Chairman